

**Chairman Tom Davis**  
**Government Reform Committee Hearing**  
**“Under Fire: Does the District of Columbia’s Gun Ban**  
**Help or Hurt the Fight Against Crime?”**  
**June 28, 2005**  
**Room 2154 Rayburn House Office Building**

Good afternoon, and I thank everyone for joining us today as the Committee on Government Reform takes a look at the District of Columbia law banning handguns and most automatic weapons.

In 1976, three years after Congress passed the “Home Rule Act,” the District of Columbia Council passed the Firearms Control Regulations Act, a law prohibiting the possession of unregistered firearms, and banning the registration of all handguns, automatic firearms, and high-capacity semi-automatic firearms. The District's ban on handguns makes it illegal for anyone to own a handgun unless he or she is a police officer or has owned a gun registered prior to 1976. Sales of firearms are similarly restricted. This makes the District's gun laws among the strictest of any jurisdiction in the nation.

Various lawsuits have been filed in recent years questioning the constitutionality of the D.C. gun law under the Second Amendment. The courts have upheld the ban, finding it is within the District’s power to regulate firearms. Meanwhile, legislation has been introduced in both the House and Senate to overturn the District’s gun ban.

I am a strong supporter of Home Rule. For our system of federalism and democracy to work, states and localities need to be able to make their own decisions – even if some of us think they’re bad ones.

I believe the citizens of the District of Columbia – like residents of any city across the nation – are best served when their locally elected representatives are free to decide how to manage the city’s affairs. After all, the District is certainly not the only city in America with a ban on handguns. New York City has a restrictive handgun law. So does Chicago. So do smaller towns, such as Morton Grove, Wilmette, Evanston and Oak Park, all in Illinois.

I believe there is room in the Congress for debate on the merits of some of our nation’s gun laws. But I also believe the appropriate place for debate on *the District’s* gun laws is the chamber of the District of Columbia Council.

Congress, as outlined in the Constitution, does retain final say over the city’s legislative decisions, but that is a power we should, and do, use only rarely.

I also believe the District would be better off if my colleague, Eleanor Holmes Norton, could cast votes on the floor of the House of Representative. We are, of course, working to build support for legislation to fix that, but that is a topic for another hearing. [July 15, for those taking notes...Consider that my shameless plug for the day.]

I personally believe that federal legislation seeking to overturn D.C.'s gun laws are an unnecessary and potentially dangerous assault on home rule. I personally believe the net result could be a less safe capital city.

But this Committee's agenda is not about my personal beliefs. The issues raised in this debate demand our time and attention. The safety of D.C. residents demands it.

Today's hearing features a compelling array of witnesses who have differing opinions on the District's gun ban. I called this hearing because the District's gun ban not only raises Constitutional concerns among some observers, but it is worth a look to see if the ban is working as intended.

Does the ban effectively keep dangerous weapons out of the hands of criminals? Would repealing it lead to a spike in violent crime and homicides? Or, as one of today's witnesses has argued, would more guns equal *less* crime?

We are pleased to once again be joined by Mayor Tony Williams of the District of Columbia, and the city's police chief, Charles H. Ramsey, to hear the city's perspective on the current gun laws. In addition, the Committee is fortunate to be joined by an array of witnesses, including residents of the District of Columbia and representatives from both national think tanks and community organizations. I look forward to an informative discussion.